IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.23973 of 2008
SHANKAR SAH
WITH
Cr.Misc. No.29147 of 2008
MANTU KUMAR CHAUDHARY @ MANTOO KUMAR CHOUDHARY
Versus
STATE OF BIHAR

04/ 06-08-2008 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are accused in a case under Sections 395 and 412 of the Indian Penal Code.

This is a case of bank dacoity in which a sum of rupees ten lacs was looted away by seven unknown persons.

During the course of investigation accused Shankar Sah, Mantu Kumar Choudhary @ Mantoo Kumar Choudhary and Bir Kumar Singh were apprehended and they made confessional statement on the basis of which a sum of Rs. 5,000/- was recovered from the possession of Mantu Kumar Chaudhary @ Mantoo Kumar Choudhary and Rs. 4,200/- was recovered from the possession of Shankar Sah.

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Report as called for from the trial court regarding progress of the trial, has been received according to which the charge has been framed and the trial is continuing.

Learned counsel submitted that uptill now ten witnesses have been examined on behalf of the prosecution but none has identified the petitioners.

According to learned State counsel the entire amount recovered was put on T.I. Parade and some notes of different

denomination were identified by the witnesses in the T.I. Parade.

Considering the facts and circumstances of the case, at this stage, I am not inclined to take a different view in the matter. Prayer is refused. The court below is directed to expedite the trial of the petitioners.

If the trial of the petitioners is not concluded within a period of nine months from the date of receipt of the communication of the order, the petitioners will be at liberty to renew their prayer for bail.

(Madhavendra Saran, J.)

S.Sb/-

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